



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : RICARDO BLACH VIZOSO et al.
Serial No. : 10/048,141 Examiner : TBA
Filed : January 22, 2002 Group Art Unit : TBA
For : FLUID COMPOSITION SUITABLE FOR THE PRODUCTION AND
PREPARATION OF ION EXCHANGE MEMBRANES

RESPONSE TO NOTICE OF DEFECTIVE RESPONSE

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

August 12, 2002
Date of Deposit

Alicia A. Russo
Attorney Name

46,192
PTO Registration No.

Alicia A. Russo
Signature

August 12, 2002
Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is being filed in response to the Notice of Defective Response dated July 29, 2002 (hereinafter "Notice II") that was issued in connection with the Notice of Missing Requirements Under 35 U.S.C. §371 dated April 9, 2002 (hereinafter "Notice I") and Applicant's Response filed July 8, 2002.

Both Notices I and II alleged that the nucleotide and/or amino acid sequence disclosure contained in the application does not comply with the requirements of 37 C.F.R. §§1.821-1.825.

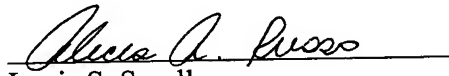
Applicants traverse this allegation and assert that 37 C.F.R. §§1.821-1.825 do not pertain to the instant application. While the instant application contains disclosures of the formula and structure of several chemical compounds and defines acronyms for the names of chemical compounds, it completely lacks any nucleotide or amino acid sequences. Therefore, no sequence listing is required for this application and Applicants response to Notice I dated July 8, 2002 has brought the instant application into full compliance with the requirements of 35 U.S.C. §371.

Since Notice II was issued due to an error by the Patent and Trademark Office personnel and the sole purpose of this response is to point out that error, Applicants do not believe that any extension of time fees are due with this response under 37 C.F.R. §1.17. Nevertheless, any fees required for this submission not otherwise enclosed herewith may be charged to Deposit Account No. 02-4377. However, this does not constitute a waiver of Applicants right to demand a refund for any extension of time fees charged. Two copies of this page are enclosed.

A copy of the Notice is enclosed herewith.

Respectfully submitted,

August 12, 2002


Louis S. Sorell
PTO Reg. No. 32,439

Alicia A. Russo
PTO Reg. No. 46,192

Attorneys for Applicants
BAKER BOTTS, L.L.P.
30 Rockefeller Plaza
New York, NY 10112
(212) 408-2626



Please type a plus sign (+) inside this box → ☐

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number Filing Date First Named Inventor Group Art Unit Examiner Name	10/048,141
	January 22, 2002
	Ricardo Blach Vizoso et al.
	To Be Assigned
	To Be Assigned
Total Number of Pages in This Submission Attorney Docket Number	6 A34948-PCT-USA

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input type="checkbox"/>		

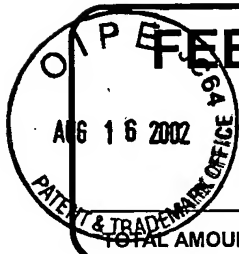
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature		Att Name: Alicia A. Russo PTO Reg: 46,192
Date	August 12, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>August 12, 2002</u>		
Typed or printed name	Alicia A. Russo	
Signature		Date August 12, 2002

BAKER BOTTS LLP



FREE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 0

Complete if Known

Application Number	10/048,141
Filing Date	January 22, 2002
First Named Inventor	Ricardo Blach Vizoso et al.
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	A34948-PCT-USA

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

02-4377

Baker Botts LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	= 0	X	= 0
3**	= 0	X	= 0
Multiple Dependent			

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

SUBMITTED BY

Name (Print/Type) Alicia A. Russo

Signature

Alicia A. Russo

Registration No.
(Attorney/Agent)

46,192

Complete (if applicable)

Telephone (212) 408-2500

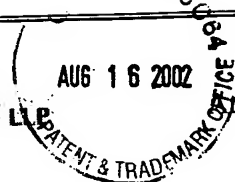
Date

August 12, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

BAKER BOTTS

AUG 16 2002



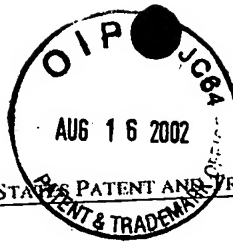
Attorney Docket Number: A34948-PCT-USA

Title:

FLUID COMPOSITION SUITABLE FOR THE PRODUCTION AND PREPARATION OF ION
EXCHANGE MEMBRANES

Use Space Below for Additional Information:

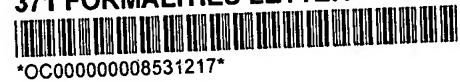
A large, empty rectangular box with a thin black border, intended for providing additional information. It occupies the lower half of the page.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/048,141	FIRST NAMED APPLICANT Ricardo Blach Vizoso	ATTY. DOCKET NO. EF377398785US
INTERNATIONAL APPLICATION NO. PCT/ES99/00278		
I.A. FILING DATE 08/27/1999		PRIORITY DATE 07/22/1999

21003
BAKER & BOTTS
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112CONFIRMATION NO. 2737
371 FORMALITIES LETTER

OC000000008531217

Date Mailed: 07/29/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

● For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/048,141	PCT/ES99/00278	EF377398785US

